



Phone: 541-682-5481  
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# AGENDA

## Meeting Location:

Atrium Building – Sloat Room  
99 W. 10<sup>th</sup> Avenue  
Eugene, OR 97401

The Eugene Planning Commission welcomes your interest in these agenda items. Feel free to come and go as you please at any of the meetings. This meeting location is wheelchair-accessible. For the hearing impaired, FM assistive-listening devices are available or an interpreter can be provided with 48 hours notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours notice. To arrange for these services, contact the Planning Division at 541-682-5675.

## **MONDAY. DECEMBER 17, 2012 – REGULAR MEETING (11:30 a.m. to 1:30 p.m.)**

### **11:30 a.m. I. PUBLIC COMMENT**

The Planning Commission reserves 10 minutes at the beginning of this meeting for public comment. The public may comment on any matter, **except for items scheduled for public hearing or public hearing items for which the record has already closed**. Generally, the time limit for public comment is three minutes; however, the Planning Commission reserves the option to reduce the time allowed each speaker based on the number of people requesting to speak.

### **11:40 a.m. II. DEERBROOK PUD APPEAL FINAL ACTION (PDT 12-1)**

Staff: Becky Taylor, 541-682-5437

### **11:55 a.m. III. DOWNTOWN NODAL DEVELOPMENT OVERLAY ZONE CODE AMENDMENT DELIBERATION & POSSIBLE ACTION (CA 12-3)**

Staff: Nan Laurence, 541-682-5340

### **12:15 p.m. IV. URBAN ANIMAL KEEPING (FARM ANIMAL STANDARDS) CODE AMENDMENTS DELIBERATION & POSSIBLE ACTION (CA 12-2)**

Staff: Kristie Brown

### **12:55 p.m. V. ENVISION EUGENE UPDATES (MONITORING)**

Staff: Heather O'Donnell

### **1:25 p.m. VI. ITEMS FROM COMMISSION AND STAFF**

- A. Other Items from Staff
- B. Other Items from Commission:
- C. Learning: How are we doing?

Commissioners: Steven Baker; Jonathan Belcher; Rick Duncan; Randy Hledik, Chair; John Jaworski; Jeffery Mills; William Randall, Vice Chair



## **AGENDA ITEM SUMMARY**

**December 17, 2011**

**To:** Eugene Planning Commission

**From:** Nan Laurence, Planning Division

**Subject:** Deliberation and Recommendation to the City Council:  
Drive-Through Facilities in /ND Nodal Development Overlay Zone in the Downtown  
(City File CA 12-3)

### **ACTION REQUESTED**

Based on comments received at the December 11, 2012 public hearing, deliberate on the proposed code amendment and provide a recommendation to City Council.

### **BRIEFING STATEMENT**

Earlier this year, as part of Envision Eugene, the City Council initiated code amendments to facilitate desired mixed use development for downtown and along transit corridors. Consistent with several strategies in the Envision Eugene proposal, the purpose of these amendments is to make compact urban development easier in the downtown, on key transit corridors, and in core commercial areas by removing regulatory barriers. These amendments are also necessary as part of the city's strategy to accommodate the city's 20 year need for commercial and multi-family housing inside the current urban growth boundary (UGB). Only the /ND code amendment is the subject of the December 17<sup>th</sup> deliberations; the remaining code amendments related to mixed use development for downtown and transit corridors will be considered as a package at a later Planning Commission public hearing.

### **BACKGROUND**

The impetus to amend the /ND overlay zone came from recommendations through Envision Eugene as well as multiple stakeholder interviews over several years. A number of elements of the overlay zone were seen as problematic, including the density requirement as well as inflexibility in the list of permitted uses. As a result, changes to this code section are a part of the package of draft code amendments going forward for review.

Earlier this fall a development opportunity surfaced for one of the sites downtown with the /ND overlay. In late October 2012, the City Council agreed to sell property in the Downtown Plan area to enable the development of Northwest Community Credit Union's regional headquarters. This development proposes a use that is in keeping with the goals and policies for downtown, including strengthening downtown as a regional center and increasing commercial activity between the core of downtown and the river. However, this development requires a drive-through facility, which is currently not allowed in the /ND even as an ancillary use for a multi-story structure. Given council's action and terms of the sale agreement, it is necessary to consider a code amendment to the /ND overlay in an expedited fashion. As a

result, this one component of the code amendment package has been pulled forward to be considered on its own with a shorter time frame for resolution. The proposed language is included as Attachment A.

### **Public Notice and Testimony**

A public hearing took place on December 11, 2012. Notice of the public hearing was sent to all neighborhood organizations, the City of Springfield, Lane County, as well as community groups and individuals who have requested notice. In addition, notice was also published in the Register Guard. Staff received two written responses related to the code amendment in advance of the public hearing. Staff provided these written responses to the Planning Commission at the public hearing. In addition, the Planning Commission heard public testimony from four community members, one of whom also submitted written testimony (see Attachment A). The Commission closed the record at the conclusion of the public hearing.

### **Applicable Criteria**

The Eugene Planning Commission shall address the relevant approval criteria from the Eugene Code (EC) in making recommendations to the Eugene City Council on the amendments, as listed below in ***bold italic***. Preliminary findings addressing the required approval criteria have been prepared by staff and were provided as an attachment in the AIS for the December 11, 2012 Public Hearing.

***EC 9.8065 Code Amendment Approval Criteria. If the city council elects to act, it may, by ordinance, adopt an amendment to this land use code that:***

- (1) Is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission.***
- (2) Is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.***
- (3) In the case of establishment of a special area zone, is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.***

### **Next Steps**

Following Planning Commission recommendation, a public hearing is scheduled at City Council on January 22, 2013, with action scheduled for February 11, 2013.

### **Recommendation**

Staff recommends that the Planning Commission make a recommendation to City Council to approve the code amendment.

### **FOR MORE INFORMATION**

Nan Laurence, 541-682- 5340or nan.laurence@ci.eugene.or.us

### **ATTACHMENTS**

- A. Written Testimony dated December 11, 2012 from Philip Farrington
- B. Findings of Consistency

December 11, 2012

To: Eugene Planning Commission

From: Philip Farrington

Codes are important but context is paramount. And when rigid application of code standards reveals unintended consequences – for example, the potential to scotch a viable infill development – then it bears considering the context of the request, and whether modification of the code could merit on balance a preferred outcome.

We have such an instance before you now. I'm not asking you to yield on matters of principle, only to consider that flexibility may be needed to achieve the desired results of our collective planning efforts. If left unmodified, the Nodal Development standards could prove to be a blunt instrument that applies uniformly without consideration of context, and may be counter-productive to achieving the over-arching objectives of the nodal development concept – which essentially is to densify development with a variety of uses in convenient proximity. These are the fundamental precepts of “walkability.” Not every building need have a vertical mix of uses, but by in-filling vacant lands within the core of our urban environment, and providing pedestrian facilities that integrate functions in the core, we will begin to fulfill our collective ambitions for a “nodal” environment, and realize our ambitious plans to better link downtown and the riverfront.

In this case you have before you a meritorious regional business seeking to develop a new headquarters on a property identified for multi-story infill development. From my experience as a board member of the Springfield Chamber of Commerce, I can attest to the considerable benefits Northwest Community Credit Union brings to the Eugene-Springfield community in terms of their support of local charities, their civic involvement, and furtherance of sustainability within their sector and the larger business community through their participation in Green Lane, the Business Bicycle Challenge, and similar initiatives. Northwest is seeking to expand its local employment, add millions in construction improvements to a rather dormant local economy, and add the improved value onto the city's tax rolls.

The proposal before you doesn't seek to gut the fundamental elements of the nodal overlay, nor to open up unabated auto-oriented uses on the subject site or any other. In fact, the proposed code will still maintain prohibitions of exclusively auto-oriented uses in the /ND overlay area, and will not permit exclusively drive-through establishments.

The proposed code amendment isn't earth-shaking, nor would it establish a precedence. Allowing a drive-through as part of the proposed new credit union headquarters isn't really any different than the fact that there are drive-through facilities in numerous other financial institutions in the Eugene downtown core: namely, Summit Bank, Century Bank, Sterling Bank, and my own credit union – Pacific Cascade. The urban purist would submit that such facilities are antithetical to a warm and inviting pedestrian environment. Yet all of these facilities coexist within a very walkable downtown, and can effectively be incorporated into the new facility design to minimize potential impacts on the pedestrian environment. And honestly, I hardly believe that denying this modest code amendment and leaving the subject site underutilized and in its current condition would improve the pedestrian environment.

I cautioned earlier about unintended consequences, and would like to remind you of one such instance. Some years ago I worked as a consultant on a project to develop a nodal development plan for in-fill at the Chase Gardens area. Some in city leadership believed that accepting modification of certain development standards would result in a compromised plan and rejected our initial proposal, which would have resulted in not only a pedestrian-orientation for future development but a primary use (namely, a grocery store) that was highly desired by the established neighborhood association and would have served thousands of nearby residents within easy walking distance. But the rigid adherence to certain design standards resulted in a different series of uses. Granted, the development there now has been designed quite elegantly, but are an entirely different use than envisioned and desired in the neighborhood, and frankly don't provide for an integrated neighborhood center as the original proposal. I mention this only as a word of caution. You may hear from some who would suggest that the proposed use does not merit this code amendment and to wait for another. But I would submit that we kill the good in search of the perfect, which will likely never come.

Our community has developed numerous plans that promote in-fill development, specifically to densify the area near the federal courthouse and bring greater vitality to downtown and the riverfront area. Approving this code amendment will help with plan implementation in a direct and meaningful way. The findings in your packet demonstrate consistency with applicable approval criteria and relevant plans; therefore, I urge you to vote in favor of the code amendment before you.

**AGENDA ITEM SUMMARY**  
**December 17, 2012**

**To:** Eugene Planning Commission

**From:** Heather O'Donnell, City of Eugene Planning Division  
Jason Dedrick, City Manager's Office

**Subject:** Envision Eugene Implementation:  
Monitoring

**ISSUE STATEMENT**

This work session is an opportunity to provide an update to the Planning Commission on the role of monitoring in implementing Envision Eugene.

**BACKGROUND**

Two primary goals of the Envision Eugene project are to: 1) determine how Eugene will accommodate the next 20 years of growth in our community, as required by state law, and 2) create a future that is livable, sustainable, beautiful and prosperous.

The City Manager's March 2012 Envision Eugene recommendation includes several strategies and actions to implement the Envision Eugene vision. One of the key strategies supporting the "Flexible Implementation" pillar is to create an ongoing monitoring system to collect and track information related to assumptions we've made about the next 20 years of growth. The basic goals of ongoing monitoring include:

- Acknowledge the uncertainty of 20-year projections and provide a basis for adjusting them, if needed, at a more frequent interval;
- Measure the effectiveness of Envision Eugene Strategies and Actions;
- Establish a system that collects data in a manner consistent with how it will be used;
- Meet state monitoring requirements; and
- Provide other benefits such as costs savings, easier access to data, easier reporting, reliable tracking, easier adjustment of assumptions (if necessary), and improved collaboration with regional partners.

Consistent with this strategy, a monitoring system is being developed that is intended to provide the information needed by the community and decision makers to periodically assess the validity of assumptions and inform the effectiveness of strategies adopted as part of Eugene's new comprehensive plan. Monitoring will require both a qualitative and a quantitative approach, since successful implementation of some strategies cannot be measured with data. While future policy questions continue to develop, such as what criteria will be used to inform when and how assumptions should be adjusted, three general areas of evaluation will likely be the most important:

- 1) Current status of the supply of available land (vacant or partially vacant) and resulting need for UGB expansion and facilities planning
- 2) Evaluation of key assumptions, such as:
  - Employment growth rate
  - Housing mix (single family housing vs. multi-family housing)
  - Commercial redevelopment rate
- 3) Evaluation of progress on implementation strategies using both quantitative and qualitative evaluation methods

In developing the monitoring plan, several efforts have been underway such as:

- Meeting with partners and technical resources including different City divisions, other agencies, Technical Resource Group members, consultants, and other jurisdictions with monitoring systems
- Updating the list of data (indicators) to be collected as identified in the Envision Eugene Recommendation (page 4-40). See Attachment A for a draft updated list.
- Identification of which quantitative indicators or qualitative reporting will be used to measure the success of the Envision Eugene Recommendation pillars, strategies and actions
- Developing the method for collecting the data informing each of the indicators (e.g. what, who, when, where and how the data is collected)
- Researching monitoring systems

More information on these efforts will be provided at the Planning Commission work session. In particular, discussion and feedback from the Planning Commission is requested regarding how to approach qualitative measurement of strategies and actions. For instance, what criteria or considerations are necessary to analyze strategies such as protecting adjacent neighborhoods and recognizing the value of historic properties?

## **NEXT STEPS**

Several steps still remain before the monitoring system will be up and running. Staff will continue meetings with partners and resources regarding the indicators list and the methods for collecting the data. The methods for collecting each indicator needs to be finalized and training of staff to implement the system completed. Later, the analysis and reporting necessary to measure the qualitative strategies and actions will need to be developed.

## **ATTACHMENTS**

- A. Draft Monitoring Indicators List

## **FOR MORE INFORMATION**

Contact Heather O'Donnell at 541-682-5488 or at [heather.m.odonnell@ci.eugene.or.us](mailto:heather.m.odonnell@ci.eugene.or.us) or Jason Dedrick at 541-682-5033 or at [Jason.p.dedrick@ci.eugene.or.us](mailto:Jason.p.dedrick@ci.eugene.or.us)



## Quantitative Monitoring- Draft Monitoring Indicators List

Residential Trends & Development	Employment Trends & Development	Both Residential & Employment, or Other Data	Efficiency Strategies
PSU Annual Population Estimate Acres of vacant, partially vacant land Type of land developed Number of housing units Density Structure type Structure size Lot size Plan designation/zoning Location Net to gross Open space Vacancy rate Household size Household age Household composition Group quarters Demolitions Housing cost data Housing cost as % of income Household Income Housing tenure Housing & transportation index Subsidized/"affordable" units LIRHPT units Foreclosure Assistance units Home buyer assistance units Rental rehabilitation units Homeowner rehabilitation units Emergency minor home repair units	Type of land developed Density Structure type Number of Floors Structure size Lot size Plan designation/zoning Location Net to gross Home offices/non-employment zone Use type FAR Employment growth forecast Number of jobs Average wage Unemployment rate Vacancy rate Commercial lease rates Existing built space	20 minute neighborhood index Building footprint Parking spaces Improvement value Valuation Surplus land Regional residential construction data Regional housing cost data Vehicle trips Vehicle Miles Traveled Mode Split LTD Ridership Commuting trends	Alley access lots Secondary dwelling units Land Acquisition Program (for affordable housing) Controlled income & rent units MUPTe units Vertical housing units CDBG Units Opportunity Siting units Brownfield development Tax increment financing Development loans & incentives Enterprise zone jobs E-commerce zone jobs SDC's paid/ adjusted No-cost pre-application meetings